

**BOARD OF COUNTY COMMISSIONERS  
AGENDA ITEM SUMMARY**

Meeting Date: 8/17/05 - KL

Division: County Attorney's Office

Bulk Item: Yes      No X

Department: County Attorney's Office

**\*\* PUBLIC HEARING 3:00 P.M. \*\***

Staff Contact Person: Suzanne Hutton

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**AGENDA ITEM WORDING:**

Public Hearing to consider adoption of Resolution renouncing and disclaiming any right of the County and the public in and to a portion of Oak Road according to the plat thereof as recorded in Plat Book 3, Page 125, Pamela Villas, of the public records of Monroe County, Florida. (Key Largo)

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**ITEM BACKGROUND:**

Petition has been reviewed and approved by Planning, Engineering and Fire Marshall.

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**PREVIOUS RELEVANT BOCC ACTION:**

6/15/05 Resolution # 209 -2005 approved by BOCC setting date, time and place for Public Hearing for August 17, 2005 at 3:00 p.m. in Key Largo, FL.

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**CONTRACT/AGREEMENT CHANGES:**

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**STAFF RECOMMENDATIONS:**

Approval.

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**TOTAL COST:** Petitioner Pays

**BUDGETED:** Yes      No     

**COST TO COUNTY:** N/A

**SOURCE OF FUNDS:**                     

**REVENUE PRODUCING:** Yes      No      **AMOUNT PER MONTH**      **Year**     

**APPROVED BY:** County Atty *JS* OMB/Purchasing      Risk Management     

**DIVISION DIRECTOR APPROVAL:**

*John R. Collins 05/06/05*  
JOHN R. COLLINS, COUNTY ATTORNEY

**DOCUMENTATION:** Included      Not Required     

**DISPOSITION:**                                     

**AGENDA ITEM #**

**RESOLUTION NO. \_\_\_\_\_ - 2005**

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MONROE COUNTY, RENOUNCING AND DISCLAIMING ANY RIGHT OF THE COUNTY AND THE PUBLIC IN AND TO A PORTION OF OAK ROAD, KEY LARGO, MONROE COUNTY, FLORIDA.**

WHEREAS, the Board of County Commissioners of Monroe County, Florida, desires to renounce and disclaim any right of the County and the public in and to the hereinafter described streets, alley-ways, roads or highways, and

WHEREAS, due notice has been published and a public hearing has been held in accordance with Chapter 336, Florida Statutes, and

WHEREAS, at said public hearing the Board considered the argument of all parties present wishing to speak on the matter, and all premises considered concerning the renouncing and disclaiming of any right of the County and the public in and to the hereinafter described streets, alley-ways, roads or highways as delineated on the hereinafter described map or plat, and

WHEREAS, the Board has determined that vacation of the said road is for the general public welfare, and conforms to the requirement of Florida Statutes, Sections 336.09 and 336.10; now, therefore,

BE IT RESOLVED THAT THE BOARD OF COUNTY COMMISSIONERS OF MONROE COUNTY, FLORIDA, hereby renounces and disclaims any right of the County and the public in and to the following described streets, alley-ways, roads or highways as delineated on the hereinafter described map or plat, to-wit:

A PORTION OF OAK ROAD ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 125, PAMELA VILLAS, OF THE PUBLIC RECORDS OF MONROE COUNTY, FLORIDA, MORE PROPERLY DESCRIBED AS FOLLOWS:

1. COMMENCE AT THE SOUTHEAST CORNER OF LOT 14, BLOCK 9, PAMELA VILLAS.
2. WEST 25 FEET TO THE POINT OF BEGINNING ALSO BEING THE BEGINNING OF A CIRCULAR CURVE TO THE RIGHT, CONCAVE NORTHEAST, HAVING A RADIUS OF 25 FEET AND A CENTRAL ANGLE OF 90 DEGREES.
3. WEST, NORWESTERLY AND NORTH FOR AN ARC DISTANCE OF 39.27 FEET TO THE END OF SAID CIRCULAR CURVE.
4. NORTH 164 FEET TO THE BEGINNING OF A CIRCULAR CURVE TO THE RIGHT, CONCAVE TO THE SOUTHEAST, HAVING A RADIUS OF 25 FEET AND A CENTRAL ANGLE OF 90 DEGREES.

5. NORTHERLY, NORTHEASTERLY AND EASTERLY FOR AN ARC DISTANCE OF 39.27 FEET TO THE END OF SAID CIRCULAR, SAID POINT ALSO BEING ON THE NORTHERLY LINE OF LOT 13, BLOCK 9, IN SAID PAMELA VILLAS.
6. WEST 100 FEET TO THE BEGINNING OF A CIRCULAR CURVE TO THE RIGHT, CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 25 FEET AND A CENTRAL ANGLE OF 90 DEGREES.
7. EASTERLY, SOUTHEASTERLY AND SOUTHERLY FOR AN ARC DISTANCE OF 39.27 FEET TO THE END OF SAID CIRCULAR CURVE. SAID POINT ALSO BEING ON THE EASTERLY LINE OF LOT 1, BLOCK 10, OF SAID PAMELA VILLAS.
8. SOUTHERLY FOR 164 FEET TO THE BEGINNING OF A CIRCULAR CURVE TO THE RIGHT CONCAVE TO THE NORTHWEST, HAVING A RADIUS OF 25 FEET AND A CENTRAL ANGLE OF 90 DEGREES.
9. SOUTHERLY, SOUTHWESTERLY AND WESTERLY FOR AN ARC DISTANCE OF 39.27 FEET TO THE END OF SAID CIRCULAR CURVE. SAID POINT ALSO BEING ON THE SOUTHERLY LINE OF LOT 16, BLOCK 10, OF SAID PAMELA VILLAS.
10. EAST 100 FEET TO THE POINT OF BEGINNING.
11. ALSO DESCRIBED AS: ALL THAT PORTION OF OAK ROAD AS SHOWN ON THE PLAT OF PAMELA VILLAS, PLAT BOOK 3, PAGE 125 OF THE PUBLIC RECORDS OF MONROE COUNTY, FLORIDA, WHICH LIES BETWEEN THE EXTENDED SOUTH RIGHT-OF-WAY OF LIGNUMVITAE DRIVE AND THE EXTENDED NORTH RIGHT-OF-WAY OF GUMBO LIMBO DRIVE, AS SHOWN IN SAID PLAT OF PAMELA VILLAS.

PASSED AND ADOPTED by the Board of County Commissioners of Monroe County, Florida, at a regular meeting of the Board on the 17<sup>th</sup> day of August, 2005.

Mayor Spehar  
Mayor Pro Tem McCoy  
Commissioner Nelson  
Commissioner Neugent  
Commissioner Rice

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(SEAL)

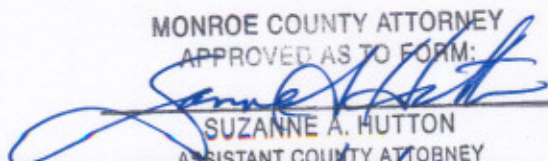
Attest: DANNY L. KOLHAGE, Clerk

BOARD OF COUNTY COMMISSIONERS  
OF MONROE COUNTY, FLORIDA

By \_\_\_\_\_  
Deputy Clerk

By \_\_\_\_\_  
DIXIE M. SPEHAR, Mayor/Chairperson

MONROE COUNTY ATTORNEY  
APPROVED AS TO FORM:

  
SUZANNE A. HUTTON  
ASSISTANT COUNTY ATTORNEY

Date 5/06/05

### NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Board of County Commissioners of Monroe County, Florida, will hold a public hearing on **August 17, 2005, at 3:00 PM, at the Key Largo Library, Key Largo, Florida**, for the purpose of determining whether or not the following streets, alley-ways, roads or highways shall be abandoned:

A PORTION OF OAK ROAD ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 125, PAMELA VILLAS, OF THE PUBLIC RECORDS OF MONROE COUNTY, FLORIDA, MORE PROPERLY DESCRIBED AS FOLLOWS:

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Pursuant to Section 286.0105, Florida Statutes, notice is given that if a person decided to appeal any decision made by the Board with respect to any matter considered at such hearings or meetings, he will need a record of the proceedings, and that, for such purpose, he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Dated at Key West, Florida, this 15th day of June, 2005.

DANNY L. KOLHAGE, Clerk of the Circuit Court  
and ex officio Clerk of the Board of County (SEAL)  
Commissioners of Monroe County, Florida

Publication date:

The Reporter Friday, 6/24/05

**RESOLUTION NO. 209 -2005**

**A RESOLUTION SETTING THE DATE, TIME AND PLACE FOR A PUBLIC HEARING CONCERNING THE PROPOSED ABANDONMENT OF A PORTION OF OAK ROAD ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 125, PAMELA VILLAS, OF THE PUBLIC RECORDS OF MONROE COUNTY, FLORIDA.**

WHEREAS, the Board of County Commissioners of Monroe County, Florida, desires to renounce and disclaim any right of the County and the public in and to the hereinafter described streets, alley-ways, roads or highways, and

WHEREAS, under Chapter 336, Florida Statutes, it is necessary to hold a public hearing after publishing due notice of said hearing in accordance with said Chapter, now, therefore,

BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MONROE COUNTY, FLORIDA, that the Board will hold a public hearing on **August 17, 2005 at 3:00 P.M., at the Key Largo Library, Key Largo, Florida**, to determine whether or not the Board will renounce and disclaim any right of the County and the public in and to the following described streets, alley-ways, roads or highways as delineated on the hereinafter described map or plat, to-wit:

**A PORTION OF OAK ROAD ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 125, PAMELA VILLAS, OF THE PUBLIC RECORDS OF MONROE COUNTY, FLORIDA, MORE PROPERLY DESCRIBED AS FOLLOWS:**

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PASSED AND ADOPTED by the Board of County Commissioners of Monroe County, Florida, at a regular meeting of the Board held on the 15th day of June, 2005.

Mayor Dixie M. Spehar  
 Mayor Pro Tem Charles "Sonny" McCoy  
 Commissioner Murray Nelson  
 Commissioner George Neugent  
 Commissioner David Rice

Yes  
 Yes  
 Not Present  
 Yes  
 Yes



CLK. CIR. CT.  
 MONROE COUNTY, FLA.

KOLHAGE

JUN 20 AM 10:25

FILED FOR RECORD



ATTEST: DANNY L. KOLHAGE, CLERK

BOARD OF COUNTY COMMISSIONERS  
 OF MONROE COUNTY, FLORIDA

By *Danny L. Kolhage*  
 Deputy Clerk

By *Dixie M. Spehar*  
 Mayor Dixie M. Spehar

MONROE COUNTY ATTORNEY  
 APPROVED AS TO FORM:  
*John R. Collins*  
 JOHN R. COLLINS  
 COUNTY ATTORNEY  
 Date 05/06/05

**BOARD OF COUNTY COMMISSIONERS  
AGENDA ITEM SUMMARY**

Meeting Date: 6/15/05 - MR

Division: County Attorney's Office

Bulk Item: Yes X No     

Department: County Attorney's Office

Staff Contact Person: Suzanne Hutton

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**AGENDA ITEM WORDING:**

Approval of Resolution setting date, time and place for a public hearing concerning the proposed abandonment of a portion of Oak Road according to the plat thereof as recorded in Plat Book 3, Page 125, Pamela Villas, of the public records of Monroe County, Florida.

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**ITEM BACKGROUND:**

Petition has been reviewed and approved by Planning, Engineering and Fire Marshall.

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**PREVIOUS RELEVANT BOCC ACTION:**

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**CONTRACT/AGREEMENT CHANGES:**

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**STAFF RECOMMENDATIONS:**

Adoption of Resolution setting one public hearing for 3:00 p.m. on AUGUST 17, 2005 in Key Largo, Florida.

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**TOTAL COST:** Petitioner Pays

**BUDGETED:** Yes      No     

**COST TO COUNTY:** N/A

**SOURCE OF FUNDS:**                     

**REVENUE PRODUCING:** Yes      No      **AMOUNT PER MONTH**      **Year**     

**APPROVED BY:** County Atty *[Signature]* OMB/Purchasing      Risk Management     

**DIVISION DIRECTOR APPROVAL:**

*John R. Collins* 05/06/05  
**JOHN R. COLLINS, COUNTY ATTORNEY**

**DOCUMENTATION:** Included      Not Required     


**DISPOSITION:**                                     

**AGENDA ITEM #**

4/14/05  
(EP)

MEMORANDUM

TO: Kathy Peters  
County Attorneys Office

FROM: David S. Koppel, P.E.   
County Engineer

DATE: April 14, 2005

RE: Road Abandonment Petition  
Oak Road, Pamela Villa Subdivision, Key Largo

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We have completed our review of the above-referenced request and have no objections.  
Please call if you have any questions.

DSK/jl  
OakRdPamelaVillaRdAbandonmentKL.DOC

RECEIVED  
APR 14 2005  
MONROE COUNTY ATTORNEY



**BOARD OF COUNTY COMMISSIONERS**

Mayor Dixie M. Spehar, District 1  
Mayor Pro Tem Murray E. Nelson, District 5  
George Neugent, District 2  
Charles "Sonny" McCoy, District 3  
David P. Rice, District 4

*Office of the County Attorney*  
502 Whitehead Street, Rear  
Post Office Box 1026  
Key West, FL 33041-1026



**MEMORANDUM**

TO: DAVE KOPPEL, COUNTY ENGINEER

FROM: KATHY PETERS FOR: SUZANNE HUTTON *Kathy*  
ASSISTANT COUNTY ATTORNEY

RE: STATUS OF REVIEW AND RECOMMENDATION RE:  
ROAD ABANDONMENT PETITION: OAK ROAD,  
PAMELA VILLA SUBDIVISION, KEY LARGO

DATE: MARCH 21, 2005

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A review of our file indicates we have not yet received your findings and recommendation regarding the above-referenced Road Abandonment Petition. We have received notification recommending approval from both the Fire Marshall and the Planning Department and are awaiting your response for possible placement on the upcoming April 20th agenda for approval to advertise for a public hearing at the May meeting which will be held in Key Largo. The agenda item deadline for the April meeting is 4/5/05.

Please provide your findings and recommendation as to this Petition as soon as possible. If we have overlooked receipt of your documentation, we would request your forwarding a copy of your recommendation for our file. Thank you for your support and cooperation in this matter.

KMP:

Enclosures

cc: Sheryl Bower, Agent for: Joe Young  
Mr. Joe Young




FIRE MARSHAL'S OFFICE  
Marathon Gov't Annex Bldg.  
490 - 63<sup>rd</sup> St., Ocean, Ste. 160  
Marathon, FL 33050  
(305) 289-6010  
(305) 289-6013 FAX



**BOARD OF COUNTY COMMISSIONERS**

Mayor Dixie M. Spehar, District 1  
Mayor Pro Tem Charles "Sonny" McCoy, District 3  
George Neugent, District 2  
David P. Rice, District 4  
Murray E. Nelson, District 5

**INTEROFFICE MEMORANDUM**

**DATE:** January 4, 2005  
**TO:** Suzanne A. Hutton, Assistant County Attorney  
**FROM:** Arthur "Wally" Romero, Assistant Fire Marshal   
**SUBJECT:** ROAD ABANDONMENT INSPECTION:  
(Oak Road, Pamela Villa Subdivision, Key Largo)

The Monroe County Fire Marshal's Office has reviewed the above referenced proposed road abandonment. This office has no objection to the abandonment.

If the Fire Marshal's Office can be of any additional assistance in this matter, please contact our office.

cc: Chief Clark O. Martin, Monroe County Fire Rescue

RECEIVED

JAN 14 2005

MONROE COUNTY ATTORNEY

@RoadAbdn/RoadAbdn/mw7.0

Monroe County Planning Dept.  
88800 Overseas Highway  
Tavernier FL 33070  
Tel. (305) 852-7108



RECEIVED

JAN 13 2005

MONROE COUNTY ATTORNEY

To: Jan Hotalen, Paralegal, County Attorneys Office  
From: K. Marlene Conaway, Director of Planning *KMC*  
Date: January 3, 2005  
Subject: Request from Joseph M. Young for a road abandonment.

Joseph M. Young, a co-owner of Lots 14 & 15, Block 9, Plat of Pamela Villa, has requested the abandonment of a portion of Oak Road as shown in Plat Book 3, Page 125 of the public records of Monroe County.

The property is in the Improved Subdivision (IS) land use district. There is no present development on Lots 14 & 15, Block 9, Pamela Villa.

#### Roadway Description

Oak Road, which is the subject of the request for abandonment is shown on the original plat of Pamela Villa as a connector road between Lignumvitae Drive and Gumbo Limbo Drive between blocks 9 and 10 of the subdivision. A site visit confirms that the platted road was never built. There is no evidence of a roadbed, and the entire area is covered a variety of vegetation, both native and exotic.

#### Use of the Road

There is no use of the road. Both Gumbo Limbo Drive and Lignumvitae Drive have direct access to US #1 from the subdivision, and the abandonment of the originally platted Oak Road should not adversely affect traffic patterns in the area.

#### Development Potential

The only development potential for the section to be abandoned is to slightly enlarge the properties that share the undeveloped roadbed boundary. If the abandonment is approved, it will increase the size of lot 14 which is presently undeveloped, and therefore allow an increase in the amount of clearing allowed on the hammock lot to construct a residence. It is suggested that a Grant of Conservation Easement be applied to the section to be abandoned to protect the native habitat.

### **Shoreline Access**

The portion of the road being proposed for abandonment does not terminate on open water.

### **Staff Review**

A review of the records and an on site inspection of the property revealed the following:

1. The original platted roadbed shows no signs of ever having been completed.
2. The applicant has received the approval of the abandonment request from the owners of the adjacent properties,
3. The applicant has received approval of the abandonment request from The Florida Keys Aqueduct Authority, Florida Keys Electric Cooperative Assn, Comcast Cable and BellSouth Telecommunications.

### **Conclusion**

Staff recommends **APPROVAL** of the request of Joseph M. Young for the abandonment of Oak Road based on the following:

1. The portion of the undeveloped roadbed proposed for abandonment serves only the applicant and the adjacent property owners who have consented to the abandonment. Therefore the request for abandonment meets the requirements as outlined in the Monroe County Code Section 16-1.
2. The road does not terminate on a body of water, and is consistent with Goal 213 of the Monroe County Year 2010 Comprehensive Plan.
3. Based on the application and the supporting documentation, the area requested for abandonment will not impair the distribution of utilities in the neighboring area.
4. The additional parcel to be attached to lot 14 will be restricted by a Grant of Conservation Easement recorded by the property owner prior to the issuance of any building permit.


Office of the County Attorney  
PO Box 1026  
Key West, FL 33041-1026  
305/292-3470 - Phone  
305/292-3516 - Fax



**MEMORANDUM**

DATE: December 16 2004

TO: Marlene Conaway, Planning Director  
Dave Koppel, County Engineer  
Clark Martin, Fire Chief

FROM: Jan Hotalen, Paralegal   
County Attorney's Office

RE: Road Abandonment Petition - Oak Road, Pamela Villa Subdivision, Key Largo

=====

Please review the enclosed documents in connection with the above-described road abandonment and provide me with your comments at your earliest convenience.

As we discussed, please keep a record of all the time spent by you and your staff on this matter and, if you have no further use for this packet, please return it with your report.

Thank you.

Enclosures

**ROAD ABANDONMENT PETITION**NAME JOE YOUNGADDRESS PO BOX 1336, TAVERNIER, FL 33070STREET/EASEMENT to be abandoned OAK RD (PAMELA VILLA SUBDIVISION)KEY LARGOMile Marker 102DATE 10/27/04 PHONE 451-0216\* FAX SAMEE-mail \*PLEASE CONTACT AGENT(SHERYL BOWER) 393-1722

SBOWER 2010 @ AOL.C

We hereby petition the Honorable Board of County Commissioners to renounce and disclaim any right of the County and the public in and to the above-referenced street, alleyway, road or right-of-way as further depicted and described in the following attachments:

**(Exhibit A)**

→ **Survey** (preferably 11" x 17" or 8½" x 11") Description of roadway to be abandoned and survey showing that portion marked with diagonal lines with petitioners' property clearly delineated and outlined, and showing all adjacent properties.

**(Exhibit B)**

**Map of Key** on which road is located, clearly showing US 1, Mile Marker number and portion of road to be abandoned.

**(Exhibit C)**

**Copies of Deed(s)** - Petitioners certify that they are the sole owners of Lot(s) 14 & 15 and that the abandonment of said road will not take away from other property holders' right of ingress and egress to their property, and that taxes for the year 2003 have been paid on their subject land.

**(Exhibit D)**

→ **Legal description** of that portion of roadway which petitioners seek to have abandoned.

**(Exhibits E-1, E-2, E-3, E-4)**

**Letters of no objection** from utility companies - including, but not limited to, water, electricity, telephone, and cable TV.

**(Exhibit F)**

**Letters of no objection** from all adjacent property owners and list of names and addresses of all adjacent property owners.

Petitioners seek the abandonment for the following reasons:

TO ALLOW FOR IT TO UTILIZED AS YARD AREA AND  
FOR MAINTENANCE AND UPKEEP.

Petitioners agree to be responsible for and pay for all costs of advertising and recording fees incurred relative to this request for the vacation.

Petitioners further agree to grant any easement necessary for the furnishing of utilities, including without limitation, electric power, water, sewer, telephone, gas, cable and other electric communication services to the same extent as is common within this area as to height, width and degree, upon request for such service or by the BOCC through its authorized agents. If easements are so required, copies of the executed documents will be provided to the County before the petition is presented to the BOCC.

Petitioners certify that the road to be abandoned does not end at water or that, if it does, the road is not a dedicated and accepted right-of-way (including by operation of law due to construction or maintenance by County).

WHEREFORE, Petitioners formally request the Honorable Board of County Commissioners to grant this petition.

Joe Clancy  
PETITIONER

☒ Is personally known to me.

☐ Provided as Identification \_\_\_\_\_

Sworn to and subscribed before me this 27 day of October 2004

Helen K Hanrahan DD 143147

Typed Notary Name and Number

Helen K Hanrahan  
Notary Signature and Seal



Helen K Hanrahan  
My Commission DD143147  
Expires August 18, 2006

\_\_\_\_\_  
PETITIONER

☐ Is personally known to me.

☐ Provided as Identification \_\_\_\_\_

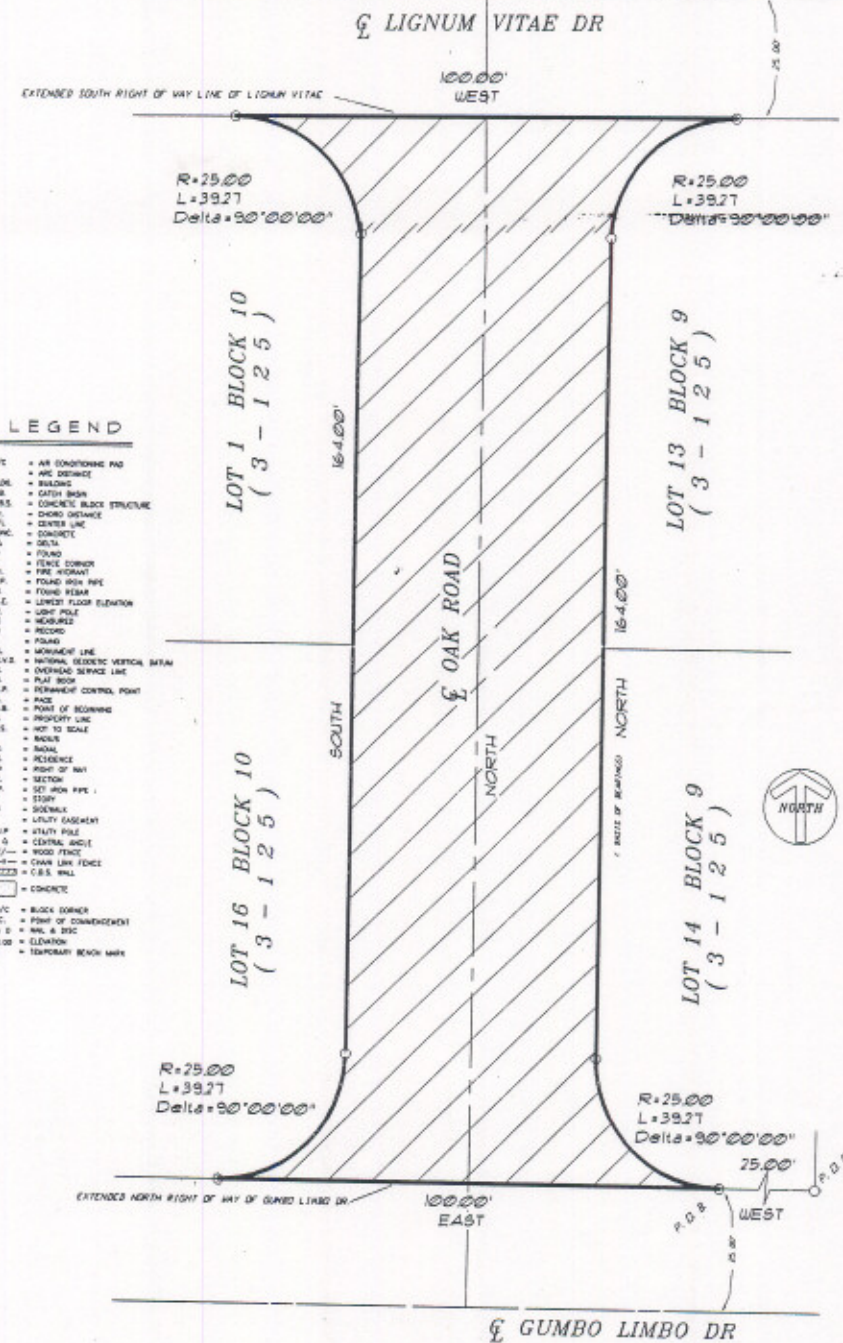
Sworn to and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Typed Notary Name and Number

\_\_\_\_\_  
Notary Signature and Seal

# MAP OF SURVEY

SKETCH OF LEGAL DESCRIPTION



## LEGEND

A/C	• AIR CONDITIONING PAD
A	• ARC DISTANCE
B.M.	• BUILDING
C.B.	• CATCH BASIN
C.B.S.	• CONCRETE BLOCK STRUCTURE
CP	• CHORD DISTANCE
C/L	• CENTER LINE
CONC.	• CONCRETE
Δ	• DELTA
FD	• FOUND
FC	• FENCE CORNER
F.H.	• FIRE HYDRANT
F.J.P.	• FOUND JOINT PIPE
F.B.	• FOUND REBAR
L.F.E.	• LOWEST FLOOR ELEVATION
LP	• LIGHT POLE
MEAS.	• MEASUREMENT
REC'D	• RECORD
FD	• FOUND
M.O.V.	• NATIONAL GEODETIC VERTICAL DATUM
N.G.V.D.	• NATIONAL GEODETIC VERTICAL DATUM
O.S.L.	• OVERHEAD SERVICE LINE
P.B.	• PLAT BOOK
P.C.P.	• PERMANENT CONTROL POINT
P.C.	• PLAT
P.O.B.	• POINT OF BEGINNING
P.L.	• PROPERTY LINE
N.T.S.	• NOT TO SCALE
R	• RADIUS
RES.	• RESIDENCE
R/W	• RIGHT OF WAY
SEC.	• SECTION
S.P.	• SET WORK PIPE
STN	• STATION
SW	• S.W. QUARTER
VE	• UTILITY EASEMENT
UP	• UTILITY POLE
Q	• QUARTER
W.F.	• WOOD FENCE
W.L.F.	• CHAIN LINK FENCE
C.B.S.	• CONCRETE BLOCK STRUCTURE
CONC.	• CONCRETE
B/C	• BLOCK CORNER
P.O.C.	• POINT OF COMMENCEMENT
N & S	• N & S
SUB	• SUB
ELEV	• ELEVATION
TR	• TEMPORARY BENCH MARK

CERTIFIED TO: MICHAEL LUCAS

Base of Bearings: AS SHOWN

Scale: 1" = 30'

### SURVEYOR'S NOTES:

- 1) Legal description furnished by client.
- 2) Elevations referred to the National Geodetic Vertical Datum of 1929 (NGVD), unless otherwise noted.
- 3) This survey shows only platted easements and rights of way. There may exist additional restrictions and/or encumbrances affecting this property.
- 4) Underground features not identified nor located.

- 5) It is a violation of the Florida Administrative Code to alter this survey without the written permission of P. G. Battle, PSM.
- 6) The liability of this survey is limited to the cost of the survey.
- 7) This survey is not intended to neither design or construction purposes. For those purposes, a topographic survey is required.



**P. G. BATTLE, PSM**  
PROFESSIONAL SURVEYOR AND MAPPER  
27922 SW 162 COURT  
HOMESTEAD, FL 33031-2942  
Home Office 305-246-2357 • Fax 305-246-2357  
Cell 786-457-2122

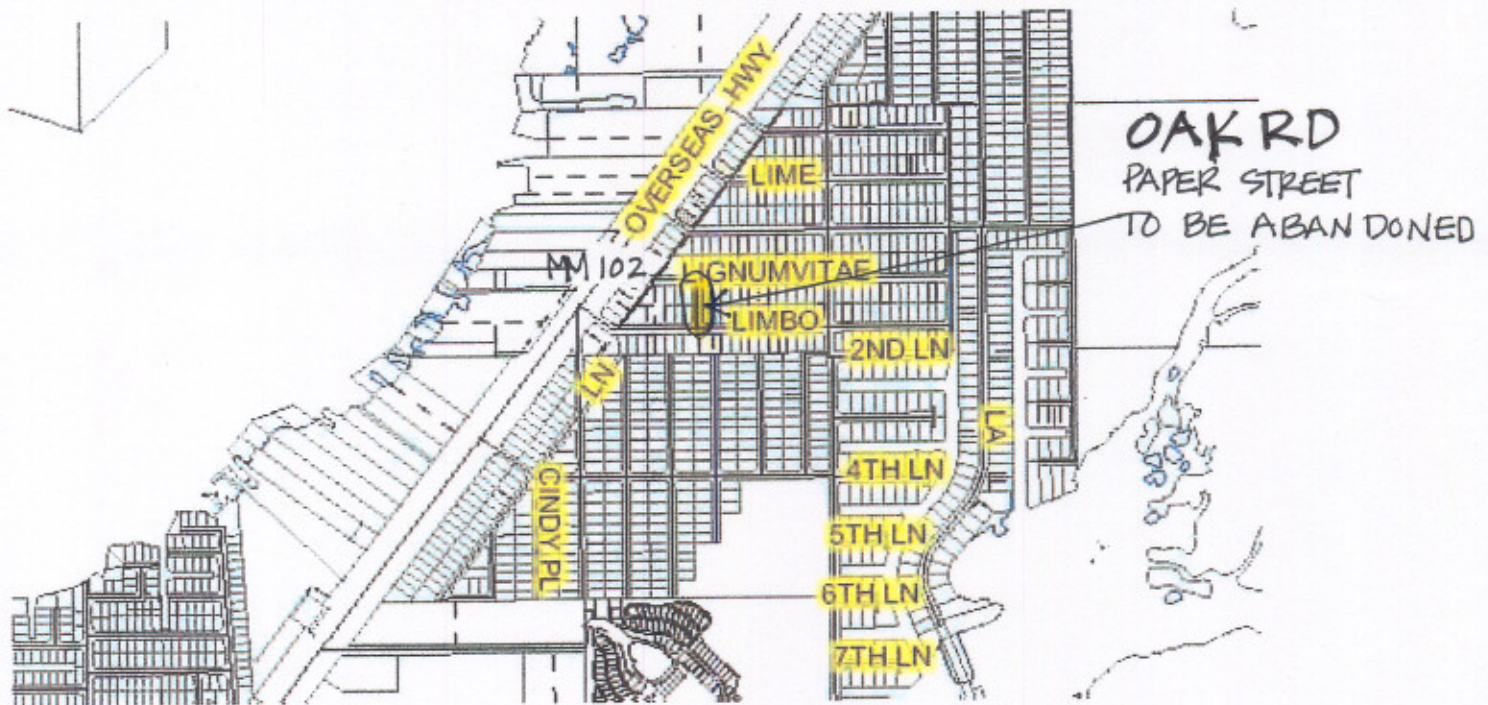
THIS SURVEY IS NOT VALID WITHOUT  
THE ORIGINAL SIGNATURE AND ORIGINAL  
RAISED SEAL OF A FLORIDA LICENSED  
SURVEYOR AND MAPPER.

*P. G. Battle*  
P. G. BATTLE, PSM LS#5753

SEAL

DATE: 10, 07, 04

EXHIBIT A



## OAK ROAD ABANDONMENT REQUEST FOR JOE YOUNG

### KEY LARGO LOCATION MAP



**OAK ROAD ABANDONMENT REQUEST FOR JOE YOUNG**

**EXHIBIT "C" DEED FOR LOT 14 AND 15.**

This instrument prepared by:  
Glenn M. Lee, Esq.  
13450 West Sunrise Boulevard  
Suite 300  
Sunrise, Florida 33323

MONROE COUNTY  
OFFICIAL RECORDS

FILE #1352409  
BK#1860 PG#2219

RCD Feb 25 2003 09:26AM  
DANNY L. KOLHAGE, CLERK

DEED DOC STAMPS 175.00  
02/25/2003 PA DEP CLK

WARRANTY DEED

THIS INDENTURE, made this 25 day of January, 2003, between Jacques L. Smith, John H. Smith and Edith A. Smith, his wife (GRANTOR), and Joseph M. Young and Michael Lucas, whose post office address is 7860 S.W. 182nd Terrace, Miami, Florida 33157, (GRANTEE).

WITNESSETH: that the Grantor for and in consideration of the sum of Ten (\$10.00) Dollars and other good and valuable consideration to them in hand paid by Grantees, the receipt whereof is hereby acknowledged, has granted, bargained and sold to the said Grantee, their successors, heirs, and assigns forever, the following described land, situate, lying and being, in the County of Monroe, State of Florida, to-wit:

Lots 14 and 15, Block 9, PAMELA VILLA, according to the Plat thereof, recorded in Plat Book 3, Page 125, of the Public Records of Monroe County, Florida, bearing Account Numbers 1569160 and 1569160  
78

Jacques L. Smith avers that the property is not his homestead nor contiguous to his homestead and the property is in fact vacant lots.

This conveyance is subject to restrictions, reservations, easements and limitations of record, if any, provided that this shall not serve to reimpose same; zoning ordinances, and taxes for the year 2003 and all subsequent years.

"Grantor" and "Grantee" are used for singular or plural, as context requires.

And the said Grantor does hereby fully warrant title to said land and will defend the same against the lawful claims of all persons whomsoever.

Signed, sealed and delivered in the presence of:

Print name here >

Terry M. Houston

Print name here >

MIMI M. YOUNG

Jacques L. Smith

Address

131 Coral Ave.

Tavernier, FL 33070

FILE #1352409  
BK#1860 PG#2220

Signed, sealed and delivered in the presence  
of (as to both signatures on this page):

Ferry M. Houston  
Print name here > Jacques L. Smith  
Mimi M Young  
Jacques L. Smith

Print name here > Ferry M. Houston

Mimi M Young  
MIMI M YOUNG

STATE OF FLORIDA )

COUNTY OF MONROE )

SS:

I HEREBY CERTIFY the foregoing instrument was acknowledged before me this 25 day of  
August, 2002, by Jacques L. Smith, John H. Smith and Edith A. Smith, his wife, (Check appropriate box) they ☐ are  
personally known to me, or ☒ have produced FLORIDA DRIVERS LICENSE

as identification and who did take an oath.

John H. Smith  
John H. Smith  
Address 131 CORAL AVE

TAVERNIER, FL 33037

Edith A. Smith  
Edith A. Smith  
Address 131 CORAL AVE  
TAVERNIER, FL 33070

(type of identification)  
Mimi M Young  
Print name here >  
Notary Public, State of FLORIDA



# MAP OF SURVEY

SKETCH OF LEGAL DESCRIPTION

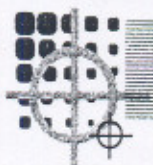
## LEGAL DESCRIPTION

A PORTION OF OAK ROAD ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 125, PAMELA VILLAS, OF THE PUBLIC RECORDS OF MONROE COUNTY, FLORIDA, MORE PROPERLY DESCRIBED AS FOLLOWS:

1. COMMENCE AT THE SOUTHEAST CORNER OF LOT 14, BLOCK 9, PAMELA VILLAS.
2. WEST 25 FEET TO THE POINT OF BEGINNING ALSO BEING THE BEGINNING OF A CIRCULAR CURVE TO THE RIGHT, CONCAVE NORTHEAST, HAVING A RADIUS OF 25 FEET AND A CENTRAL ANGLE OF 90 DEGREES.
3. WEST, NORWESTERLY AND NORTH FOR AN ARC DISTANCE OF 39.27 FEET TO THE END OF SAID CIRCULAR CURVE.
4. NORTH 164 FEET TO THE BEGINNING OF A CIRCULAR CURVE TO THE RIGHT, CONCAVE TO THE SOUTHEAST, HAVING A RADIUS OF 25 FEET AND A CENTRAL ANGLE OF 90 DEGREES.
5. NORTHERLY, NORTHEASTERLY AND EASTERLY FOR AN ARC DISTANCE OF 39.27 FEET TO THE END OF SAID CIRCULAR, SAID POINT ALSO BEING ON THE NORTHERLY LINE OF LOT 13, BLOCK 9, IN SAID PAMELA VILLAS.
6. WEST 100 FEET TO THE BEGINNING OF A CIRCULAR CURVE TO THE RIGHT, CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 25 FEET AND A CENTRAL ANGLE OF 90 DEGREES.
7. EASTERLY, SOUTHEASTERLY AND SOUTHERLY FOR AN ARC DISTANCE OF 39.27 FEET TO THE END OF SAID CIRCULAR CURVE. SAID POINT ALSO BEING ON THE EASTERLY LINE OF LOT 1, BLOCK 10, OF SAID PAMELA VILLAS.
8. SOUTHERLY FOR 164 FEET TO THE BEGINNING OF A CIRCULAR CURVE TO THE RIGHT, CONCAVE TO THE NORTHWEST, HAVING A RADIUS OF 25 FEET AND A CENTRAL ANGLE OF 90 DEGREES.
9. SOUTHERLY, SOUTHWESTERLY AND WESTERLY FOR AN ARC DISTANCE OF 39.27 FEET TO THE END OF SAID CIRCULAR CURVE. SAID POINT ALSO BEING ON THE SOUTHERLY LINE OF LOT 16, BLOCK 10, OF SAID PAMELA VILLAS.
10. EAST 100 FEET TO THE POINT OF BEGINNING.
11. ALSO DESCRIBED AS: ALL THAT PORTION OF OAK ROAD AS SHOWN ON THE PLAT OF PAMELA VILLAS, PLAT BOOK 3, PAGE 125 OF THE PUBLIC RECORDS OF MONROE COUNTY, FLORIDA, WHICH LIES BETWEEN THE EXTENDED SOUTH RIGHT-OF-WAY OF LIGNUMVITAE DRIVE AND THE EXTENDED NORTH RIGHT-OF-WAY OF GUMBO LIMBO DRIVE, AS SHOWN IN SAID PLAT OF PAMELA VILLAS.

### SURVEYOR'S NOTES:

- 1) Legal description furnished by client.
- 2) Elevations referred to the National Geodetic Vertical Datum of 1929 (NGVD), unless otherwise noted.
- 3) This survey shows only platted easements and rights of way. There may exist additional restrictions and/or encumbrances affecting this property.
- 4) Underground features not identified nor located.
- 5) It is a violation of the Florida Administrative Code to alter this survey without the written permission of P. G. Battle, PSM.
- 6) The liability of this survey is limited to the cost of the survey.
- 7) This survey is not intended to neither design or construction purposes. For those purposes, a topographic survey is required.



**P. G. BATTLE, PSM**  
PROFESSIONAL SURVEYOR AND MAPPER  
27922 SW 162 COURT  
HOMESTEAD, FL 33031-2942

Home Office 305-246-2357 ♦ Fax 305-246-2357  
Cell 786-457-2122

THIS SURVEY IS NOT VALID WITHOUT  
THE ORIGINAL SIGNATURE AND ORIGINAL  
RAISED SEAL OF A FLORIDA LICENSED  
SURVEYOR AND MAPPER.

P. G. BATTLE, PSM LS#5753

DATE: \_\_\_\_/\_\_\_\_/\_\_\_\_

EXHIBIT D

## **OAK ROAD ABANDONMENT REQUEST FOR JOE YOUNG**

### **EXHIBIT "E" NO OBJECTION LETTERS FROM UTILITIES**

- 1. Comcast**
- 2. FKEC**
- 3. FCAA**
- 4. Bellsouth** (original + revised 5/2005)
5. Key Largo Wastewater Treatment District



Comcast Cable Communications, Inc.  
88539 Overseas Hwy. #2  
Tavernier, FL 33070

August 20, 2004

Sheryl L. Bower  
115 West Plaza Del Lago  
Islamorada, FL 33036

Fax 305 852-6957

Re: Oak Road Paper Road abandonment

Comcast Cable has no objection to your request for the abandonment of the plat off of Gumbo Limbo Dr. outlined in your request dated May 21, 2004.

If you have any questions, or need additional information please call me at 305 852-1277

Sincerely,

A handwritten signature in black ink, appearing to read "Jerry Wasmund".

Jerry Wasmund  
Technical Operation Manager  
Comcast Cable



**FLORIDA KEYS ELECTRIC COOPERATIVE  
ASSOCIATION, INC. - FKEC**

91605 OVERSEAS HIGHWAY P.O. BOX 377, TAVERNIER, FL 33070-0377 PHONE (305) 852-2431 FAX: (305) 852-4794

June 1, 2004

Ms. Sheryl L. Bower, AICP  
115 West Plaza Del Lago  
Islamorada, Fl 33036

**Re: Road Abandonment of Pamela Villa Paper Street**

Dear Ms. Bower:

This letter is in response to your Road Abandonment Request received in our office.

Please be advised that Florida Keys Electric Cooperative Association, Inc. (FKEC), has reviewed the subdivision plat you provided and has ***no objection*** to the abandonment of the paper street located off of Gumbo Limbo Drive as shown in the Plat of Pamela Villa, a Subdivision in Section 22, Township 61 South, Range 39 East in Key Largo, Florida

Should you have any questions, please feel free to contact me at (305) 852-2431.

Sincerely,

A handwritten signature in dark ink, appearing to read "Tom Roebeling". The signature is fluid and cursive.

Tom Roebeling  
Staking Technician

TR:pm

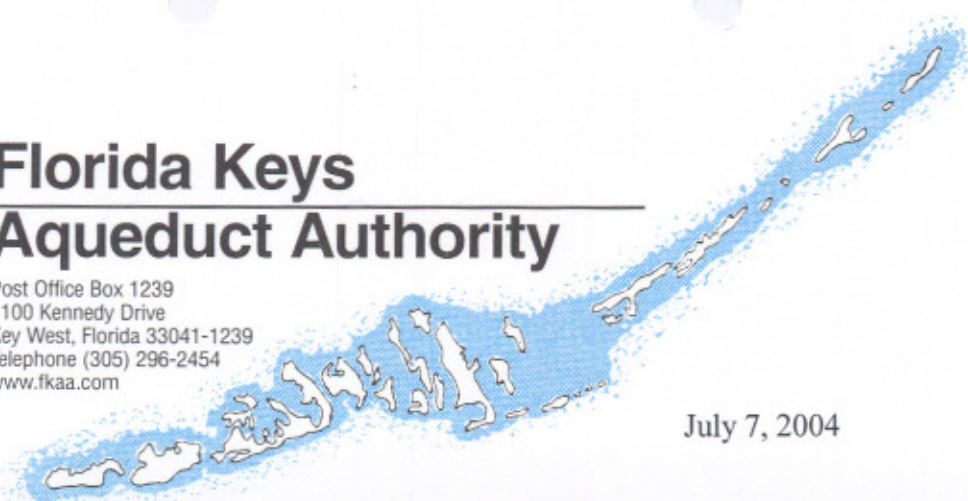
cc: Tim Planer  
John M. Burch

Enc.



## Florida Keys Aqueduct Authority

Post Office Box 1239  
1100 Kennedy Drive  
Key West, Florida 33041-1239  
Telephone (305) 296-2454  
www.fkaa.com



July 7, 2004

John M. Koenig, Sr.  
Chairman  
Key West

Mary L. Rice  
Vice-Chairman  
Marathon

Harry E. Cronin  
Secretary/Treasurer  
Key Largo

Elena Z. Herrera  
Rockland Key

Rose Dell  
Big Pine Key

James C. Reynolds  
Executive Director

Sheryl L. Bower, AICP  
115 West Plaza Del Lago  
Islamorada, FL 33036

RE: Abandon a portion of Oak Street that separates  
Lot 16, Blk. 10 and Lot 14, Blk. 9, Pamela Villa Sub.  
Key Largo

Dear Ms. Bower:

The FCAA Board of Directors approved at the June 29, 2004 meeting, the above referenced project.

Pursuant to your request for abandonment of the above-reference property, Staff has researched your request and have no objection to the abandonment. This section of roadway was platted but never cleared. The FCAA has no facilities in this section of roadway nor is there any present or future need for any.

Should you have any questions, please do not hesitate to call this office.

Sincerely,

**FLORIDA KEYS AQUEDUCT AUTHORITY**

Edgar F. Nicolle, Jr.  
Distribution Design Specialist

EFN/cma

cc: Bob Feldman, General Counsel  
Arlyn Higley, Director of Maintenance Dept.  
Monroe County Building Department

**BELLSOUTH**  
**TELECOMMUNICATIONS®**

Jim Yeager, P.E.  
Facility Specialist  
BellSouth  
70 Atlantic Dr.  
Key Largo, Florida 33031  
phone: (305) 453-9864  
facsimile: (305) 451-4237

05/05/2005  
File #240.0900

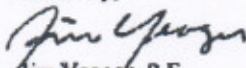
Sheryl L. Bower, AICP  
88101 Overseas Hwy  
Islamorada, FL 33036

Re: Release of Right of Way, a portion of Oak Road from Cumbo Limbo Dr. to Lignumvitae Dr., Key Largo, Florida

Dear Ms. Bower,  
BellSouth has no objection to the above referenced right of way abandonment. If the adjacent properties require phone service in the future you may be required to provide necessary structures in order for BellSouth to place facilities in the properties.

If you have any questions concerning this you can call me at the above number.

Sincerely,

  
Jim Yeager, P.E.  
Specialist

5/5/05

**KEY LARGO WASTEWATER TREATMENT DISTRICT  
POST OFFICE BOX 491, KEY LARGO, FLORIDA 33037  
(305) 451-5105**



May 10, 2005

Sheryl L. Bower AICP  
Land Use Consultant  
88101 Overseas Hwy  
Islamorada, FL 33036

RE: Oak Road Paper Road Abandonment

Dear Ms. Bower:

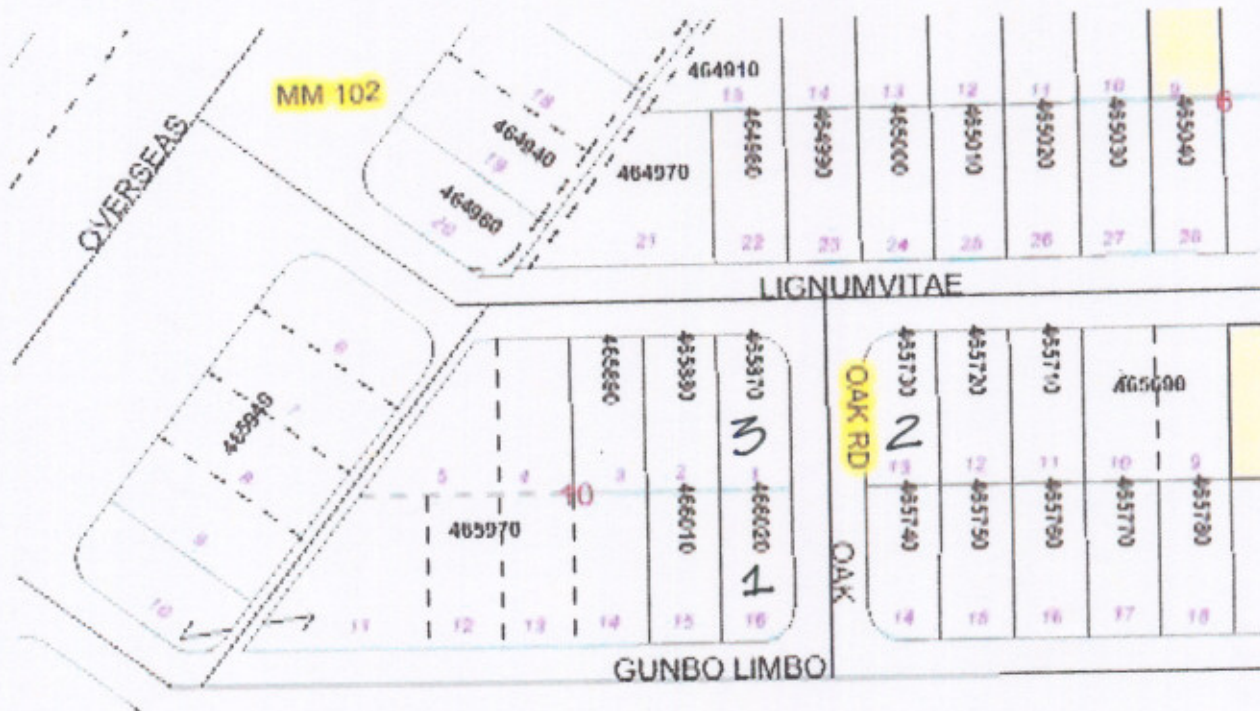
The Key Largo Wastewater Treatment District has no objection to the abandonment of the paper street Oak Road located off of Gumbo Limbo Drive (Pamela Villa Subdivision MM 102) in Key Largo.

Sincerely,



Charles F. Fishburn

## OAK ROAD ABANDONMENT REQUEST FOR JOE YOUNG



## EXHIBIT "F" NO OBJECTION LETTERS FROM ADJOINING PROPERTY OWNERS

1. Mark Stack and Dawn Hire  
115 Gumbo Limbo Drive  
Key Largo, FL 33037
2. Randolph W Brennan  
800 Oceana Drive  
Key Largo, FL 33037
3. Harry Palen  
PO Box 2792  
Key Largo, FL 33037

Date 6-15-04

RE: Oak Road Paper Street Road Abandonment

To whom it May Concern:

It has been brought to our attention that a request has been made to abandon a part of Oak Road adjoining our property, Block 10, Lot 16 Pamela Villa Subdivision. We have no objection to the road abandonment and we are willing to accept half the abandoned roadway.

Sincerely,

Mark Stack

Dawn Hire

Dawn Hire

11/29/2004 14:16 2812965336

Nov 29 2004 12:52PM Andrew Tobin, PA JERRY B BAKER

PAGE 01

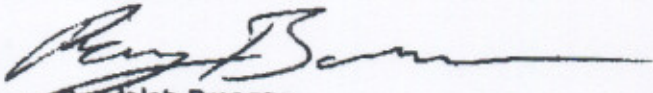
November 29, 2004

**RE: Oak Road Paper Street Road Abandonment**

**To Whom It May Concern:**

It has been brought to our attention that a request has been made to abandon a part of Oak Road adjoining our property, Block 9, Lot 13 Pamela Villa Subdivision in Key Largo. We have no objection to the road abandonment and we are willing to accept half the abandoned roadway.

Sincerely,



Randolph Brennan  
800 Oceana Drive  
Key Largo, FL 33037

NOVEMBER 18, 2004

To whom it may concern. My name is HARRY W. PALEN JR and I live in the Pamela Villa Subdivision lot 1 Block 10. I have no objection to the abandonment process of OAK Rd. and would like to obtain the portion adjacent to my property.

Thank you,

Harry W. Palen Jr

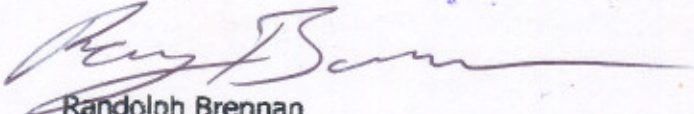
November 29, 2004

RE: Oak Road Paper Street Road Abandonment

To Whom it May Concern:

It has been brought to our attention that a request has been made to abandon a part of Oak Road adjoining our property, Block 9, Lot 13 Pamela Villa Subdivision in Key Largo. We have no objection to the road abandonment and we are willing to accept half the abandoned roadway.

Sincerely,

A handwritten signature in dark ink, appearing to read "Randolph Brennan", written over a horizontal line.

Randolph Brennan  
800 Oceana Drive  
Key Largo, FL 33037

Office of the County Attorney  
PO Box 1026  
Key West, FL 33041-1026  
305/292-3470 - Phone  
305/292-3516 - Fax



**MEMORANDUM**

DATE: November 3, 2004

TO: Ginger Campbell  
Finance Department

FROM: Jan Hotalen *Jan*  
Paralegal

RE: Road Abandonment Petition - Oak Road, Pamela Villa, Key Largo




\$

Enclosed please find check #209 in the amount of \$500 from Diane Young in the above-captioned petition.

Please deposit check in the appropriate account.

If you have any questions, please call.

Enclosure

JOE YOUNG DIANE YOUNG P O BOX 1336 TAVERNIER, FL 33070-1336		<b>CMA</b> Cash Management Account® DATE <u>Oct 13, 2004</u> 25-80/440	
PAY TO THE ORDER OF <u>Monroe County</u>		\$ <u>500.00</u>	
<u>Five Hundred &amp; 00/100</u>		DOLLARS 	
 Merrill Lynch Bank One, NA Columbus, Ohio 43271			
MEMO <u>Application Fee</u>		<u>Diane Young</u> MP	
⑆044000804⑆ 041111260464⑈ 0209			